Before the
Federal Communications Commission
Washington, D.C.

In the Matter of	)	
	)	
Improved Telecommunications Relay	)	
Services (TRS) and IP Relay	)	CC Docket 98-67
	)	
	)	
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Comments
of the
National Association of the Deaf
Telecommunications Advocacy Network

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The National Association of the Deaf - Telecommunications Advocacy Network (NAD-TAN) submits these comments to the Federal Communications Commission (FCC) in reference to FCC's June 29, 2001 Request for Additional Comments on the Provision of Improved Telecommunications Relay Services, specifically regarding IP Relay, CC Docket No. 98-67.

Established in 1880, the NAD is the oldest and largest consumer-based national advocacy organization safeguarding the civil and accessibility rights of deaf and hard of hearing individuals in the United States of America.

The National Association of the Deaf - Telecommunications Advocacy Network (NAD-TAN) is an ad-hoc committee comprised by deaf and hard of hearing leaders from a wide range of professions nationwide. NAD-TAN members possess keen interest in and extensive knowledge with regard to telecommunications access issues faced on a daily basis by deaf and hard of hearing constituents. Further, the NAD-TAN team includes members who are affiliated with national and state associations or agencies that serve the needs of those individuals who are deaf, hard of hearing, and late deafened.

We provide these comments in the same order the questions appear in the June 29th Public Notice. The questions, themselves, are restated below in italics and followed by NAD-TAN's comments.

Benefits

FCC's Request for Comments:

"WorldCom states that its IP Relay service provides customers with many benefits, including the ability to make multiple calls simultaneously, make conference calls, and view websites while calling. Eventually, according to WorldCom, IP Relay will allow computer-to-TTY calls without intervention by a CA, and will provide additional features, such as graphics, text, and video. Some of these services may be software-based, and made available through free computer downloads, without a need for new hardware. We ask that commenters address the desirability of these and other potential benefits of IP Relay. We also ask commenters to alert us to any potential disadvantages of handling TRS calls via IP Relay."

NAD-TAN's Comments:

A major and immediate benefit that will be realized by deaf and hard of hearing people with the availability of IP Relay services will be the dramatically increased ubiquity of access to TRS services. Access to TRS services will no longer be limited by the requirement to have a TTY or a computer (and modem) equipped with a dedicated analog telephone line. By being able to access TRS via the Internet, deaf and hard of hearing people will be able to utilize any computer that is connected to the Internet, whether at work, home, family or friend's homes, public facilities such as libraries and government-based service facilities, places of business such as insurance and financial service offices. These locations invariably have computers that are connected to the Internet to a degree and can be used by customers. This is true to the extent that such an increase in access to TRS through the Internet will represent new, readily available vehicles of access to TRS services. Computers connected to the Internet are that prevalent today. Moreover, mobile IP-equipped devices are already available today. With IP Relay services, those mobile devices represent another major increase in ubiquity of access to TRS services. Increased access to TRS services from any location and at any time is, by itself, an important reason to make IP Relay services available.

In addition, the NAD-TAN submitted comments to the FCC on March 13, 2001 in response to WorldCom's Petition for Clarification regarding Internet Protocol Relay Service (CC Docket 90-571). In these comments we mentioned other benefits of IP relay and will not reiterate them here.

Cost Recovery

FCC's Request for Comments:

"WorldCom has requested that the Commission require reimbursement of IP Relay from the interstate TRS Fund for all calls, whether interstate or intrastate. We note that WorldCom states that there is no way of determining the origin of IP Relay calls, because Internet addresses have no geographical correlates. Is this an appropriate way to reimburse IP Relay providers? Is there a mechanism in place, or can a mechanism be developed, by which a provider can determine the geographic location of the originator of a call? We seek information on the best means of recovering the costs associated with

IP Relay. Is there an effective method to estimate the percentage of calls associated with intrastate versus interstate usage, and divide reimbursement accordingly? If such a method exists, would it be utilized on a call-by-call basis, or would it employ a formula that divides the calls proportionally? Who would ascertain the correct distribution of IP Relay funds? Should computer-to-TTY calls without intervention by a CA be considered reimbursable from the TRS fund? Are there other relay call types (e.g., other protocol conversions) that should not be reimbursable?"

NAD-TAN's Comments:

Yes, as stated in our earlier comments in response to WorldCom's Petition, filing reimbursing IP Relay minutes, whether interstate or intrastate, from the Interstate TRS Fund is an appropriate way to reimburse IP Relay providers, at least, on a temporary basis if not permanently. The application and deployment of IP Relay can be accomplished today and should not be delayed nor limited by jurisdictional considerations, i.e., interstate versus intrastate.

A permanent funding solution can be developed over a period of time and with experiences gained in providing IP Relay services. Additionally, emerging Internet-based services may present themselves as solutions over the year or two. Cases in point are the emerging Internet Identity Services such as Microsoft's Passport or AOL-TimeWarner's recently announced Magic Carpet. These identity services aim to be truly functionally equivalent for all persons who may use the Internet and, accordingly, is the most equitable way to "require" users of IP Relay to register in order to be able to use IP Relay. However, at present, such identity services are not mature and not ready for prime time. A temporary mechanism developed solely for IP Relay services should not be pursued for two reasons. One, experiences with encouraging TRS users to utilize TRS Profile services (customizing the way TRS is performed) show that the vast majority do not want to be required to register. Two, TRS users should not be made to identify themselves specifically in order to be able to utilize TRS. At this time, we believe the simplest and least costly solution for all entities involved is to allow all IP Relay calls to be considered interstate-based, thus eligible for reimbursement.

Should technology (i.e., software) that allows "computer-to-TTY calls without the intervention by a CA" be "provisioned" by a TRS provider on their IP Relay platform, then, this technology application should be considered eligible for reimbursement by the Interstate TRS Fund. Such a protocol conversion service makes possible telephone communications between a person who can hear and a person who cannot that otherwise would not be possible. The only alternative to this would be requiring Microsoft (and any other PC operating system manufacturer) to incorporate such protocol conversion software into their operating system; this alternative does not appear to be a realistic one in the near or foreseeable future. To the best of our knowledge, there exists today a limited number of computer modems and software that do perform "computer-to-TTY" protocol conversions but they are expensive and not readily configurable with today's wide range of computer models and configurations.

Length of IP Relay Calls

FCC's Request for Comments:

"In the Improved TRS Order and FNPRM, the Commission ruled that video relay providers could recover all of their costs from the interstate TRS Fund, regardless of the origin and destination of their VRS calls. The Commission did this in order to aggregate demand for this new service in a few relay centers, and to encourage the development of this new service. The Commission stressed that this funding scheme was temporary, and that it intended to revert to traditional funding when VRS advances to the point where such funding can be required. 15 We seek comment on whether a similar cost recovery scheme should be applied to IP Relay, initially allowing cost recovery for all reimbursable calls from the interstate TRS Fund, until such time that IP Relay technology matures? How do the costs associated with IP Relay compare with the costs associated with text-based relay, STS, and VRS? Does the average length of a call handled over IP Relay differ significantly from calls handled entirely over the public switched network?"

NAD-TAN's Comments:

As indicated earlier in our comments above, IP Relay should be funded in a similar fashion as for VRS. The application and deployment of IP Relay can be accomplish today and should not be delayed nor limited by jurisdictional considerations, i.e., interstate versus intrastate. Internet services will mature over the next couple of years such that it may be possible to establish assured identity services that will be widely accepted by all users of the Internet. In this case, it may become possible to institute intrastate versus interstate considerations in future funding of IP Relay calls. In the interim, it is quite appropriate to allow a similar recovery of all appropriate costs from the interstate TRS Fund, regardless of the origin and destination of the calls just as you have done for VRS. The Commission states they allowed this for VRS in order to aggregate demand for this new service, and to encourage its development. In order for *this* new service to be deployed and new consumers to have access to relay that may only own a traditional computer, IP Relay needs to be a reimbursable service via the Interstate TRS Fund.

The cost for IP Relay will be largely equipment in nature, i.e., Internet web hosting servers and software. TRS providers will need to ensure their IP Relay centers are sufficiently equipped to handle high volume of calls and be able to switchover to backup sites when the primary site experiences failure. There are no special considerations vis a vis Communication Assistants when it comes to IP Relay as there are for STS and VRS. CAs for IP Relay will be the same CAs for standard TRS (TTY and ASCII) calls.

The consensus among NAD-TAN members is that the length of time consumed by IP Relay calls will not be materially longer or shorter from what is experienced today. This was true among members who utilized either WorldCom MCI's or AT&T's IP Relay services.

Existing Minimum Standards

FCC's Request for Comments:

"To what extent should IP Relay be subject to the same minimum standards as current TRS? For example, our rules currently require that CAs be able to type at least sixty words per minute, and that 85% of all calls be answered within ten seconds. How will varied access (e.g., dial-up, cable, DSL) used to complete the first leg of a relay call to the Internet affect compliance with our call answering standards? Similarly, our rules require that relay users be able to choose their preferred carriers for long distance calls. If IP Relay providers do not have access to the caller's automatic number identification (ANI), will they be able to offer callers their carrier of choice? To what extent can IP Relay offer hearing carry-over, voice carry-over, speech-to-speech, or VRS? In order to provide these services, would additional software be needed by the IP Relay Center or by consumers? What is the likelihood that such software would be made available to consumers without charge? Further, we note that we require TRS centers to be able to provide a caller's ANI to Public Safety Answering Points (PSAPs) in the event that a TRS customer wishes to make an emergency call to 911. Because IP Relay centers may not have access to the caller's ANI, we wish to explore the critical issue of the customer's ability to make 911 calls through IP Relay. We request comment on whether this requirement should apply to IP Relay, and what technical problems might arise from such a requirement, as well as potential solutions to any such problems. Commenters are invited to address whether these and other minimum standards should apply to IP Relay, and whether any standards should be relaxed, eliminated, or delayed for IP Relay. Conversely, we ask commenters to address whether there are specific standards that do not apply to traditional relay, but which should apply only to IP Relay. Commenters are specifically requested to explain why any suggested alteration, addition, or deletion of particular standards would be justified by the technical capabilities or requirements of IP Relay."

NAD-TAN's Comments:

We are aware of the fact that there exist tools that measure the performance of Internet traffic as well as sites (web servers providing services via the Internet). There are services that will monitor the "up-time" of sites on the Internet and provide detailed reports including reasons for sites and/or specific pages to be unavailable or down (and how many seconds it is unreachable to incoming IP traffic). We also know there are software tools that will measure a site's transfer times (how long it takes to go from one page to another on the same site; i.e., how long it takes a request for a CA to be received and how long it takes for a CA to appear on the web site and available to the user). These tools are available to ensure that an IP Relay provider implements sufficient (and ample) capability/capacity to meet incoming IP demand. Accordingly, it is only necessary to develop technically equivalent standards that are similar to existing standards pertaining to the first leg of the call. This effort should be accorded the necessary time and expertise to accomplish implementation.

We urge that for this "first generation" of new standards for the first leg of an IP-initiated call that it be assumed that the starting point be taken from the "caller's first point of presence on the Internet." However long it may take for a caller to be connected to the Internet, this should not be considered in the determination of how long it takes to reach the IP Relay provider's IP Relay service.

We also recognize that the "first generation" of IP Relay possibly should not be required to support VCO since Voice Over the Internet Protocol (VOIP) is still a technology that is not sufficiently mature for deployment to the mass market. Still, IP Relay providers wishing to offer this should have the option to do so and thereby receive reimbursement through the Interstate TRS Fund.

Additionally, IP Relay is a relay service for which technology, if completely reimbursable through NECA, is capable of leading to a multiple provider environment on a national basis. Consumers throughout the United States will be, then, able to choose from more than one provider to make their intrastate and interstate calls.

Outreach

FCC's Request for Comments:

"We seek comment on the need for an outreach program to inform consumers of the availability of IP Relay. What should such a program entail? Should our outreach requirements for IP Relay be different from our requirements for other forms of TRS? For example, would it be appropriate to mandate an Internet outreach and information program? If we determine that national outreach is needed, should we establish a separate outreach program, or make IP Relay outreach a part of the current TRS outreach requirement? To what extent should expenses associated with outreach activities be reimbursable from the interstate fund?"

NAD-TAN's Comments:

NAD-TAN strongly urges that a national outreach program be mandated that will educate the public about TRS. This should include specific information about IP Relay. Our sole concern here is that the outreach be effective in its outreach methods and comprehensive in educating the public about major aspects of relay services.

Conclusion

NAD-TAN wishes to express its appreciation to the FCC for the opportunity to comment on a subject of importance to our membership. As we indicated in our March 13th response to the WorldCom IP Relay Petition, NAD-TAN strongly believes that considering IP Relay as an interstate service and thus reimbursable by the Interstate TRS Fund can be a win-win situation for states, relay users, the federal government, and the telecommunications industry.

NAD-TAN also believes IP Relay can offer a safe entry into a multi-vendoring environment without the challenges associated with California's multi-vendoring effort. The IP Relay approach to TRS provision would add to, rather than detract from, traditional TRS services.

NAD-TAN strongly believes relay users would welcome having a choice among traditional TRS and newer IP Relay services in their respective states. We believe this is a unique opportunity for the FCC to integrate IP Relay on the national TRS stage and open up new possibilities for relay services nationwide.

Sincerely,

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